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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

On 1/12/04

TOWNSEND and TOWNSEND and CREW LLP

By: Judith C. Cahan

RECEIVED
JAN 30 2004
PATENT
TECH CENTER 1600/2900
Docket No.: 10692V-00051US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED

MAR 27 2007

In re application of:

Michael A. Adams

Application No.: 10/042,039

Filed: October 25, 2001

For: FORMULATIONS AND
METHODS OF USING NITRIC OXIDE
MIMETICS AGAINST A MALIGNANT
CELL PHENOTYPE

Examiner: Unassigned **OFFICE OF PETITIONS**

Art Unit: 1616

**PETITION TO WITHDRAW NOTICE OF
ABANDONMENT (37 C.F.R. § 1.181(a))**

RECEIVED
MAY 28 2004
OIPR / JCWS

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On December 12, 2003, the U.S. Patent and Trademark Office (USPTO) mailed a Notice of Abandonment indicating that the above identified patent application has been abandoned for failure to file a response to the Notice of Missing Parts. A copy of the Notice of Abandonment is attached as Exhibit A.

The above referenced application was filed on October 25, 2001 by Applicants' attorneys, the firm of Licata & Tyrrell P.C. The USPTO mailed out a Notice to File Missing Parts of Nonprovisional Application on February 12, 2002. The Notice of Missing Parts requested a signed declaration and a late oath filing fee.

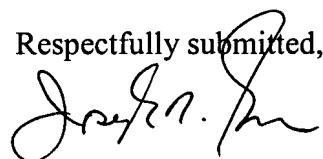
On May 13, 2002, Applicants filed a Response to Notice of Missing Parts which included an executed Declaration, Petition to Extend Time and authorization for payment of the surcharge and extension fees. Also included in the filing was Applicants' Revocation of Power of Attorney and Statement Under 37 CFR 3.73(b) which included a request to change the correspondence address for this application to Customer Number 20350 (Townsend and Townsend and Crew LLP). The response to the Notice of Missing Parts was transmitted to the USPTO by U.S. Postal Service First Class Mail. A copy of the entire Response to Notice to File Missing Parts is attached as Exhibit B.

Applicants included with the filing of the Response to Notice to File Missing Parts a return receipt postcard. A copy of the postcard, stamped with the receipt dates of May 29, 2002 and May 31, 2002, is attached as Exhibit C.

Therefore, it is respectfully submitted that patent application 10/042,039 should not have gone abandoned for failure to file a response to the Notice of Missing Parts, because a response was successfully sent to the USPTO within the period for reply on May 13, 2002. In addition, a proper Revocation of Power of Attorney and request to change the correspondence address was filed with the USPTO. However, it appears that to date, the USPTO has not changed their records and it is requested that this change in correspondence address be noted.

Pursuant to 37 C.F.R. § 1.181(a), Applicants hereby request that the holding of abandonment be withdrawn in patent application 10/042,039. This petition is being filed within two months of the mailing date of the Notice of Abandonment as required by 37 C.F.R. §1.181(f).

The Applicant believes that no fees are required for this petition. However, if any fees relating to patent application 10/042,039 are required, please charge any fees or credit any overpayment to Deposit Account 20-1430. This petition is submitted in duplicate.

Respectfully submitted,

Joseph R. Snyder
Reg. No. 39,381

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300

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UNITED STATES PATENT AND TRADEMARK OFFICE

106421-
000521US

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Page 1 of 1
DEC 15 2003

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/042,039	10/25/2001	Michael A. Adams	PTQ-0039

DEC 23 2003

Licata & Tyrrell P.C.
66 East Main Street
Marlton, NJ 08053

CONFIRMATION NO. 7209

ABANDONMENT/TERMINATION
LETTER



OC00000011483436

Date Mailed: 12/12/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/12/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Wm
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

RECEIVED

MAR 27 2007

OFFICE OF PETITIONS

Please type a plus sign (+) inside this box →

Approved for use through 10/31/2002. OMB#0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

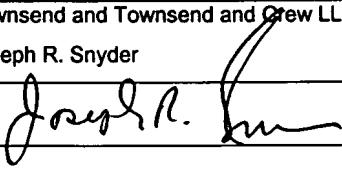
Application Number	10/043,039
Filing Date	October 25, 2001
First Named Inventor	Adams, Michael A.
Group Art Unit	1616
Examiner Name	MAR 27 2007
Total Number of Pages in This Submission	OFFICE OF PETITIONS
Attorney Docket Number	10692V-000521US

RECEIVED

OFFICE OF PETITIONS

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Revocation of Power of Attorney or Authorization of Agent	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Declaration
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	Statement Under 3.73(b)
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Joseph R. Snyder	
Signature		
Date	May 13, 2002	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

May 13, 2002

Typed or printed name	Sylvia E. Arnold	
Signature		Date
	May 13, 2002	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

WC 9041438 v1

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 120

Complete If Known

Application Number	10/043,039
Filing Date	October 25, 2001
First Named Inventor	Adams, Michael A.
Examiner Name	
Group Art Unit	1616

Attorney Docket No. 10692V-000521US

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number **20-1430**

Deposit Account Name **Townsend and Townsend and Crew LLP**

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:
 Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370		Utility filing fee	
106 330	206 165		Design filing fee	
107 510	207 255		Plant filing fee	
108 740	208 370		Reissue filing fee	
114 160	214 80		Provisional filing fee	

SUBTOTAL (1) **(\$)**

2. EXTRA CLAIM FEES

Total Claims	-20**	=	Extra Claims	X	Fee from below	=	Fee Paid
Independent Claims	-3**	=		X		=	
Multiple Dependent				X		=	

Large Entity Fee Code (\$)	Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9		Claims in excess of 20	
102 84	202 42		Independent claims in excess of 3	
104 280	204 140		Multiple dependent claim, if not paid	
109 84	209 42		** Reissue independent claims over original patent	
110 18	210 9		** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) **(\$)**

FEE CALCULATION (continued)

Large Entity Fee Code (\$)	Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65		Surcharge - late filing fee or oath	65
127 50	227 25		Surcharge - late provisional filing fee or cover sheet	
139 130	139 130		Non-English specification	
147 2,520	147 2,520		For filing a request for reexamination	
112 920*	112 920*		Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*		Requesting publication of SIR after Examiner action	
115 110	215 55		Extension for reply within first month	55
116 400	216 200		Extension for reply within second month	
117 920	217 460		Extension for reply within third month	
118 1,440	218 720		Extension for reply within fourth month	
128 1,960	228 980		Extension for reply within fifth month	
119 320	219 160		Notice of Appeal	
120 320	220 160		Filing a brief in support of an appeal	
121 280	221 140		Request for oral hearing	
138 1,510	138 1,510		Petition to institute a public use proceeding	
140 110	240 55		Petition to revive - unavoidable	
141 1,280	241 640		Petition to revive - unintentional	
142 1,280	242 640		Utility issue fee (or reissue)	
143 460	243 230		Design issue fee	
144 620	244 310		Plant issue fee	
122 130	122 130		Petitions to the Commissioner	
123 50	123 50		Petitions related to provisional applications	
126 180	126 180		Submission of Information Disclosure Stmt	
581 40	581 40		Recording each patent assignment per property (times number of properties)	
146 740	246 370		Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370		For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370		Request for Continued Examination (RCE)	
169 900	169 900		Request for expedited examination of a design application	

Other fee (specify)

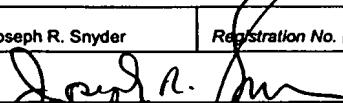
The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\$)** 120

**or number previously paid, if greater; For Reissues, see above

Complete (if applicable)

SUBMITTED BY				
Name (Print/Type)	Joseph R. Snyder	Registration No. (Attorney/Agent)	39,381	Telephone 925-472-5000
Signature			Date	May 13, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. WC 9041439 v1

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 10692V-000521US
RECEIVED MAR 27 2007 OFFICE OF PETITIONS	In re Application of Michael A. Adams et al.	
	Application Number 10/043,039	Filed October 25, 2001
	For FORMULATIONS AND METHODS OF USING NITRIC OXIDE MIMETICS AGAINST A MALIGNANT CELL PHENOTYPE	
	Group Art Unit 1616	Examiner

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows
(check time period desired):

<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$110
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 55 .

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 20-1430.

I have enclosed a duplicate copy of this sheet.

I am the applicant/inventor.

assignee of record of the entire interest. See 37 CFR 3.71

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

attorney or agent of record.

attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

May 13, 2002

Date



Signature

Joseph R. Snyder, Reg. No. 39,381

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of _____ forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
WC 9041440 v1

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Attn: Box Missing Parts
Washington, D.C. 20231

On May 13, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Sylvia E. Arnold

Sylvia E. Arnold

PATENT
Attorney Docket No.: 10692V-000521US
PTQ Ref.: 4997-024-01US

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MAR 27 2007

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael A. Adams et al.

Application No.: 10/043,039

Filed: October 25, 2001

For: FORMULATIONS AND
METHODS OF USING NITRIC OXIDE
MIMETICS AGAINST A MALIGNANT
CELL PHENOTYPE

Examiner:

Art Unit: 1616

**TRANSMITTAL LETTER –
RESPONSE TO NOTICE OF MISSING
PARTS**

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Nonprovisional Application, dated February 12, 2002, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration
- 2) Power of Attorney and Statement Under 37 C.F.R. § 3.73(b) with copies of Assignments
- 3) Petition to Extend Time (1 month)
- 4) Copy of Notice of Missing Parts

Please charge Deposit Account No. 20-1430 for the following fees:

Small Entity:	(a) Filing Fee (§ 1.16(a)) (Small Entity)	\$0.00	
	(b) Excess Claims Fees (§ 1.16(b), (c)):		
	40 - 20 = 20	x \$9.00 =	\$0.00
	12 - 3 = 9	x \$42.00 =	\$0.00
	(c) Missing Parts Surcharge	\$65.00	
	TOTAL FEES TO BE CHARGED	\$65.00	

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,



Joseph R. Snyder
Reg. No. 39,381

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 925 472-5000
Fax: 415 576-0300
JS:sea

WC 9041436 v1

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MAR 27 2007

DECLARATION

OFFICE OF PETITIONS

This application is a Continuation-In-Part application of U.S. Serial No.09/842,547, filed April 26, 2001.

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

Formulations and Methods of Using Nitric Oxide Mimetics Against a Malignant Cell Phenotype

the specification of which was filed October 25, 2001 as Serial Number 10/042,039.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 and in particular information which has occurred between the filing date of our earlier application and the filing date of this application.

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application

(Number)	(Country)	(Month/Day/Year Filed)	Priority <u>Claimed</u> [] [X] Yes No

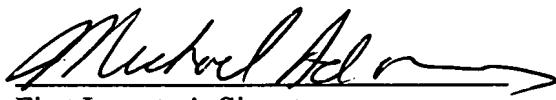
Prior U.S. Application

(Number)	(Country)	(Month/Day/Year Filed)	Priority <u>Claimed</u> [X] [] Yes No
60/199,757	US	April 26, 2000	

<u>60/277,469</u> (Number)	<u>US</u> (Country)	<u>March 21, 2001</u> (Month/Day/Year Filed)	Priority <u>Claimed</u> [X] [] Yes No
<u>09/842,547</u> (Number)	<u>US</u> (Country)	<u>April 26, 2001</u> (Month/Day/Year Filed)	Priority <u>Claimed</u> [X] [] Yes No

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: ADAMS, Michael A


First Inventor's Signature

March 26, 2002 Canada
Dated Citizenship

341 Renda Street
Kingston, Ontario K7M 5X9
Canada
Residence and Post Office Address

Full name of second joint inventor: HEATON, Jeremy P.W.

Second Inventor's Signature

26 April 2002 Canada
Dated Citizenship

1818 MacAlpine Road, R.R. # 3,
Gananoque, Ontario K7G 2V5
Canada

Residence and Post Office Address

Full name of third joint inventor: GRAHAM, Charles H.

Third Inventor's Signature

1 May 2002 Canada
Dated Citizenship

753 Allum Avenue
Kingston, Ontario K7M 7A3
Canada

Residence and Post Office Address

Full name of fourth joint inventor: POSTOVIT, Lynne-Marie

Lynne-Marie Postovit
Fourth Inventor's Signature

01/05/02 Canada
Dated Citizenship

930 Rainbow Crescent
Kingston, Ontario K7K 7J2
Canada
Residence and Post Office Address

REVOCATION OF POWER OF
ATTORNEY OR
AUTHORIZATION OF AGENT

Application Number

10/042,039

Filing Date

October 25, 2001

RECEIVED

First Named Inventor

ADAMS, M.A.

MAR 27 2007

Group Art Unit

1616

Examiner Name

10692V-000521US

Attorney Docket Number

OFFICE OF PETITIONS

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

A Power of Attorney or Authorization of Agent is submitted herewith.

OR

Please change the correspondence address for the above-identified application to:

Customer Number

Place Customer
Number Bar Code
Label here

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City			
Country	State	ZIP	
Telephone	Fax		

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.
Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Name

Signature

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

*Total of forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

WC 9032682 v1

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Queen's University at Kingston

Application No./Patent No.: 10/042,039

Filed/Issue Date: October 25, 2001

Entitled: Formulations and Methods of Using Nitric Oxide Mimetics Against a Malignant Cell Phenotype

Queen's University at Kingston

a university

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel ___, Frame ___, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Charles H. Graham and Lynne-Marie Postovit To :Queen's University at Kingston

The document was recorded in the United States Patent and Trademark Office at Reel ___, Frame ___, or for which a copy thereof is attached.

2. From: Michael A. Adams and Jeremy P.W. Heaton To :Imajh Corporation

The document was recorded in the United States Patent and Trademark Office at Reel ___, Frame ___, or for which a copy thereof is attached.

3. From: Imajh Corporation To :Queen's University at Kingston

The document was recorded in the United States Patent and Trademark Office at Reel ___, Frame ___, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

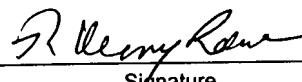
Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

May 3, 2002

Date



Signature

R. Kerry Rowe

Typed or printed name

VP Research

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

WC 9032684 v1

RECEIVED

MAR 27 2007

OFFICE OF PETITIONS

NOT FOR RECORDATION

ASSIGNMENT

The undersigned **IMAJH CORPORATION**, a corporation incorporated under the laws of the Province of Ontario, Canada, whose full post office address is 341 Renda Street, Kingston, Ontario, K7M 5X9, Canada (hereinafter "IMAJH") hereby assigns, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, to **Queen's University at Kingston**, of Kingston, Ontario, K7L 3N6, Canada (hereinafter **Queen's**) all IMAJH's rights, title and interest, including priority rights, in and to the invention relating to **Formulations and Methods of Using Nitric Oxide Mimetics Against a Malignant Cell Phenotype**, as set forth in U.S. Patent Application Serial No. 10/042,039, filed on October 25, 2001, in and for the United States of America, Canada, and all countries foreign thereto in its name or in any name at its election.

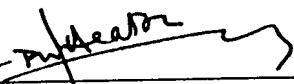
The undersigned hereby covenants and agrees that IMAJH will execute or procure any further necessary documents of the title to said invention and Letters Patent; and that IMAJH will, at any time, upon the request and at the expense of Queen's, execute and deliver any and all papers that may be necessary or desirable to perfect the title to said invention, or any Letters Patent which may be granted therefor, to Queen's; IMAJH will, at any time, upon the request and at the expense of Queen's, testify in any legal proceedings, sign all lawful papers, execute any additional, divisional, substituting, continuing or reissue applications for patents for said invention, or any part or parts thereof; and IMAJH will make all rightful oaths and generally do all lawful acts to aid Queen's, its successors, assigns or other legal representatives to obtain and enforce patent protection in said invention in all countries, without further compensation, but at the expense of Queen's, its successors, assigns or other legal representatives.

And IMAJH hereby authorizes and requests the Commissioner of Patents or the Comptroller (as the case may be) to issue any and all Letters Patent for said invention or resulting from said applications, or from any division, reissue or extension thereof, to Queen's as IMAJH's sole assignee.

In testimony whereof I have hereunto set my hand:

this 26 day of April, 2002

IMAJH CORPORATION



Jeremy P.W. Heaton
President

CERTIFICATE

City of Kingston)
Province of Ontario)

On this 26 day of April 2002, Jeremy P.W. Heaton
appeared before me in person and acknowledged the above to be his signature, and that he
signed and delivered the above instrument as his voluntary act and deed for the purposes herein
set forth.



Stephen J. Scribner

Notary Public
Province of Ontario

Stephen Joseph Scribner, Notary Public,
Frontenac Board of Management, limited to the
attestation of instruments and the taking of affidavits,
for PARTEQ R & D Innovations.
Expires January 9, 2004

ASSIGNMENT

Whereas we, **Michael A. ADAMS**, whose full post office address is 341 Renda Street, Kingston, Ontario K7M 5X9, Canada, and **Jeremy P.W. HEATON**, whose full post office address is 1818 MacAlpine Road, R.R. # 3, Gananoque, Ontario, K7G 2V5, Canada, have previously assigned all our rights, title and interest including priority rights, in and to our invention as set forth in U.S. Patent Application Serial No. 60/199,757, filed on April 26, 2000, U.S. Patent Application Serial No. 60/277,469, filed on March 21, 2001, International Patent Application Serial No. PCT/CA01/00566, filed on April 26, 2001, and U.S. Patent Application Serial No. 09/842,547, filed on April 26, 2001, and entitled **Formulations and Methods of Using Nitric Oxide Mimetics Against a Malignant Cell Phenotype to IMAJH CORPORATION** (hereinafter "IMAJH"), a corporation incorporated under the laws of the Province of Ontario, Canada, whose full post office address is 341 Renda Street, Kingston, Ontario, K7M 5X9, Canada, we do hereby assign, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, to **IMAJH**, all our rights, title and interest, including priority rights, in and to our invention relating to **Formulations and Methods of Using Nitric Oxide Mimetics Against a Malignant Cell Phenotype**, as set forth in U.S. Patent Application Serial No. 10/042,039, filed on October 25, 2001, in and for the United States of America, Canada, and all countries foreign thereto in its name or in any name at its election.

We hereby covenant and agree that we will execute or procure any further necessary documents of the title to said invention and Letters Patents; and that we will, at any time, upon the request and at the expense of IMAJH, execute and deliver any and all papers that may be necessary or desirable to perfect the title to said invention or any Letters Patents which may be granted therefor, to IMAJH or its assignee in writing, we will, at any time, upon the request and at the expense of IMAJH, testify in any legal proceedings, sign all lawful papers, execute any additional, divisional, substituting, continuing or reissue applications for patents for said invention, or any part or parts thereof, make all rightful oaths and generally do all lawful acts to aid IMAJH to obtain and enforce patent protection in said invention in all countries, without further compensation, but at the expense of IMAJH.

We hereby authorize and request the Commissioner of Patents or the Comptroller (as the case may be) to issue any and all Letters Patent for said invention or resulting from said applications, or from any division, reissue or extension thereof, to IMAJH, or to its assignee in writing.

This Assignment shall enure to the benefit of and be binding upon my heirs, executors, personal legal representatives and assigns, and shall enure to the benefit of IMAJH, its successors, assigns and other legal representatives.

IN TESTIMONY WHEREOF I have hereunto set my hand:

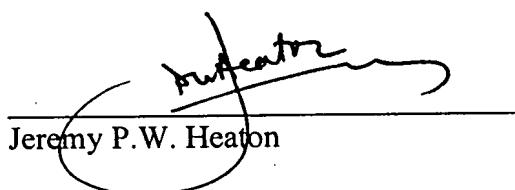
this 28th day of March, 2002, M.A.



Michael A. Adams

IN TESTIMONY WHEREOF I have hereunto set my hand:

this 2nd day of April, 2002



Jeremy P.W. Heaton



CERTIFICATE

City of Kingston)
Province of Ontario)

On this 28 day of March 2002, Michael A. Adams appeared before me in person and acknowledged the above to be his signature, and that he signed and delivered the above instrument as his voluntary act and deed for the purposes herein set forth.



Stephen J. Scribner
Notary Public
Province of Ontario

Stephen Joseph Scribner, Notary Public,
Frontenac Board of Management, limited to the
attestation of instruments and the taking of affidavits,
for PARTEQ R & D Innovations.
Expires January 9, 2004

City of Kingston)
Province of Ontario)

On this 26 day of April 2002, Jeremy P.W. Heaton appeared before me in person and acknowledged the above to be his signature, and that he signed and delivered the above instrument as his voluntary act and deed for the purposes herein set forth.



Stephen J. Scribner
Notary Public
Province of Ontario

Stephen Joseph Scribner, Notary Public,
Frontenac Board of Management, limited to the
attestation of instruments and the taking of affidavits,
for PARTEQ R & D Innovations.
Expires January 9, 2004

ASSIGNMENT

Whereas we, **Charles H. GRAHAM and Lynne-Marie POSTOVIT**, whose full post office addresses are 753 Allum Avenue, Kingston, Ontario, K7M 7A3, Canada; and 930 Rainbow Crescent, Kingston, Ontario, K7K 7J2, Canada; respectively, have previously assigned all our rights, title and interest including priority rights, in and to our invention as set forth in U.S. Patent Application Serial No. 60/199,757, filed on April 26, 2000, U.S. Patent Application Serial No. 60/277,469, filed on March 21, 2001, International Patent Application Serial No. PCT/CA01/00566, filed on April 26, 2001, and U.S. Patent Application Serial No. 09/842,547, filed on April 26, 2001, and entitled **Formulations and Methods of Using Nitric Oxide Mimetics Against a Malignant Cell Phenotype** to **Queen's University at Kingston**, a non-profit educational corporation, whose full post office address is Kingston, Ontario, K7L 3N6, Canada (hereinafter **Queen's**), we do hereby assign, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, to **Queen's**, all our rights, title and interest, including priority rights, in and to our invention relating to **Formulations and Methods of Using Nitric Oxide Mimetics Against a Malignant Cell Phenotype**, as set forth in U.S. Patent Application Serial No. 10/042,039, filed on October 25, 2001, in and for the United States of America, Canada, and all countries foreign thereto in its name or in any name at its election.

We hereby covenant and agree that we will execute or procure any further necessary documents of the title to said invention and Letters Patents; and that we will, at any time, upon the request and at the expense of Queen's, execute and deliver any and all papers that may be necessary or desirable to perfect the title to said invention or any Letters Patents which may be granted therefor, to Queen's; we will, at any time, upon the request and at the expense of Queen's, testify in any legal proceedings, sign all lawful papers, execute any additional, divisional, substituting, continuing or reissue applications for patents for said invention, or any part or parts thereof, make all rightful oaths and generally do all lawful acts to aid Queen's, its successors, assigns or other legal representatives to obtain and enforce patent protection in said invention in all countries, without further compensation, but at the expense of Queen's, its successors, assigns or other legal representatives.

And we hereby authorize and request the Commissioner of Patents or the Comptroller (as the case may be) to issue any and all Letters Patent for said invention or resulting from said application, or from any division, reissue or extension thereof, to Queen's as our sole assignee.

In testimony whereof I have hereunto set my hand:

this 1ST day of MAY, 2002

Charles H. Graham
Charles H. Graham

In testimony whereof I have hereunto set my hand:

this 1ST day of May, 2002

Lynne-Marie Postovit
Lynne-Marie Postovit

CERTIFICATE

City of Kingston)
Province of Ontario)

On this 1 day of May 2002 appeared before me in person the above **Charles H. Graham** and acknowledged the above to be his signature, and that he signed and delivered the above instrument as his voluntary act and deed for the purposes herein set forth.



Stephen J. Scribner
Notary Public
Province of Ontario

Stephen Joseph Scribner, Notary Public,
Frontenac Board of Management, limited to the
attestation of instruments and the taking of affidavits,
for PARTEQ R & D Innovations.

Expires January 9, 2004.

City of Kingston)
Province of Ontario)

On this 1 day of May 2002 appeared before me in person the above **Lynne-Marie Postovit** and acknowledged the above to be her signature, and that she signed and delivered the above instrument as her voluntary act and deed for the purposes herein set forth.



Stephen J. Scribner
Notary Public
Province of Ontario
Stephen Joseph Scribner, Notary Public,
Frontenac Board of Management, limited to the
attestation of instruments and the taking of affidavits,
for PARTEQ R & D Innovations.

Expires January 9, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/042,039	10/25/2001	Michael A. Adams	PTQ-0039

CONFIRMATION NO. 7209

FORMALITIES LETTER



OC00000007465096

Licata & Tyrrell P.C.
66 East Main Street
Marlton, NJ 08053

Date Mailed: 02/12/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

PATENT APPLICATION
FILING ACKNOWLEDGMENT

Mailing Date: 05/13/02
File No.: 10692V-000521US Attorney: JS/se (WC)
Serial No. 10/042,039
Inventor(s): Michael A. Adams *et al.*
Title: FORMULATIONS AND METHODS OF USING NITRIC OXIDE
MIMETICS AGAINST A MALIGNANT CELL PHENOTYPE
Due Date: April 12, 2002 (May 12, 2002, Sunday)

Transmittal Form; Fee Transmittal (in duplicate); Petition to Extend Time (in duplicate);
Response to Notice to File Missing Parts; Declaration; Statement Under 36 CFR 317.6(b) with
copies of Assignments; Revocation of Power of Attorney or Authorization of Agent

Please stamp the date of receipt of the enclosed documents and return this card to addressee

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U.S. DEPARTMENT OF COMMERCE

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